

1 **G. A. MULLINIX AND** * **BEFORE THE**
2 **ASSOCIATES, PETITIONER** * **PLANNING BOARD OF**
3 **ZRA 92** * **HOWARD COUNTY, MARYLAND**

4 * * * * *

5 **MOTION 1:** *To recommend approval of the request to amend Section 117.4.B. of the CCT*
6 *District regulations to add the use category of "Banks, Savings and Loan*
7 *Associations, Investment Companies, Credit Bureaus, Brokers, and Similar*
8 *Financial Institutions" as a permitted use.*

9 **ACTION:** *Recommended Approval; Vote 4 to 0.*

11 **MOTION 2:** *To recommend denial of the request to amend Section 117.4.D.2. of the CCT*
12 *District regulations to eliminate the setback requirement from an adjacent*
13 *nonresidential district.*

14 **ACTION:** *Recommended Denial; Vote 4 to 0.*

16 **MOTION 3:** *To recommend denial of the request to amend Section 117.4.D.2.c. of the CCT*
17 *District regulations to reduce the current 30 foot setback requirement from a*
18 *public street right-of-way to 10 feet.*

19 **ACTION:** *Recommended Denial; Vote 4 to 0.*

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21 On November 1, 2007, the Planning Board of Howard County, Maryland, considered the petition of
22 G.A. Mullinix and Associates for an amendment to the Zoning Regulations to amend Section 117.4.B, Uses
23 Permitted as a Matter of Right in the CCT (Community Center Transition) District to add the use category of
24 "Banks, Savings and Loan Associations, Investment Companies, Credit Bureaus, Brokers, and Similar
25 Financial Institutions" as a permitted use; and to amend Section 117.4.D.2., Minimum Structure and Use
26 Setback, to eliminate any setback from an adjacent nonresidential district and to revise the 30 ft. setback from
27 a public street right-of-way to establish a reduced 10 foot setback for parking uses.

28 The Petitioner was represented by Thomas Meachum, Esquire. Also present and representing the
29 Petitioner was Glenn A. Mullinex.

30 The petition, the Department of Planning and Zoning Technical Staff Report and Recommendation,
31 and the comments of reviewing agencies, were presented to the Board for its consideration. The Department
32 of Planning and Zoning recommended denial of the petition based on findings that the proposed amendments
33 would be contrary to, and would diminish the intended purpose of the CCT District as a distinct district that
34 provides a transition between residential and commercial areas.

1 Mr. Meachum stated that it is not illogical to add banks to the CCT District as a community-serving
2 service business. He maintained that such a use would fit the purpose of the CCT District. Mr. Meachum
3 questioned the necessity of having a wide setback on a CCT zoned property from an adjoining non-residential
4 property. Mr. Mullinix noted that his property on US 40 is very narrow.

5 The Planning Board specifically considered the petition as three separate motions, with discussion on
6 each motion. On the first issue, Ms. Dombrowski made the motion to recommend approval of the request to
7 amend Section 117.4.B. of the CCT District regulations to add the use category of "Banks, Savings and Loan
8 Associations, Investment Companies, Credit Bureaus, Brokers, and Similar Financial Institutions" as a
9 permitted use. Mr. Alexander seconded the motion. Ms. Dombrowski pointed out that some of the uses
10 currently permitted by right in the CCT District are likely to be more intense in terms of traffic generation
11 than a bank. She stated that a bank could be viewed as a compatible use. Mr. Alexander agreed that it is
12 sensible to add banks to the permitted uses. Mr. Grabowski also agreed, stating that most banks are stand-
13 alone facilities that could fit into a transition district. Ms. Citara-Manis noted that it is clear that a bank is a
14 service use, and that banks are more compatible as a use than some of the other existing permitted uses in the
15 CCT District. The first motion passed by a vote of 4 to 0.


16 On the second issue, Ms. Dombrowski made the motion to recommend denial of the request to amend
17 Section 117.4.D.2. of the CCT District regulations to eliminate the setback requirement from an adjacent
18 nonresidential district, as recommended by the Department of Planning and Zoning. Mr. Grabowski seconded
19 the motion. Ms. Dombrowski emphasized that the CCT District is a "lighter" commercial district that needs
20 these appropriate buffers. She pointed out that the proposed amendment would affect all other CCT
21 properties, and that the Petitioner always has the variance process available to request a setback reduction.
22 Mr. Grabowski stressed that it is necessary to maintain the transitional character of the district, and that means
23 also starting the transition next to the adjoining non-residential district. Ms. Citara-Manis agreed that it is
24 prudent to maintain the current setback requirement. The second motion passed by a vote of 4 to 0.

25 On the third issue, Mr. Grabowski made the motion to recommend denial of the request to amend
26 Section 117.4.D.2.c. of the CCT District regulations to amend the current 30 foot setback requirement from a
27 public street right-of-way to 10 feet, as recommended by the Department of Planning and Zoning. Mr.
28 Alexander seconded the motion. Mr. Grabowski again stressed that the current front setback requirement also
29 serves to clearly show that the transition of uses begins on the CCT property, and it is necessary to keep that.
30 Ms. Dobrowski again noted that the Petitioner can attempt to reduce the setback requirement using the
31 variance process, and Mr. Alexander agreed with this. The third motion passed by a vote of 4 to 0.
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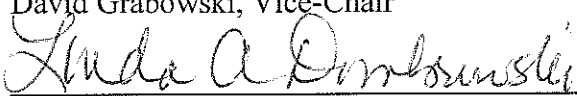
1 For the foregoing reasons, the Planning Board of Howard County, Maryland, on this 6th day of
2 December, 2007, recommends the following for ZRA-92;

- 3 1. That the request to amend Section 117.4.B. of the CCT District regulations to add the use
4 category of "Banks, Savings and Loan Associations, Investment Companies, Credit Bureaus,
5 Brokers, and Similar Financial Institutions" as a permitted use be **APPROVED**; and,
6 2. That the request to amend Section 117.4.D.2. of the CCT District regulations to eliminate the
7 setback requirement from an adjacent nonresidential district be **DENIED**; and,
8 3. That the request to amend Section 117.4.D.2.c. of the CCT District regulations to amend the
9 current 30 foot setback requirement from a public street right-of-way to 10 feet be **DENIED**.

11 HOWARD COUNTY PLANNING BOARD

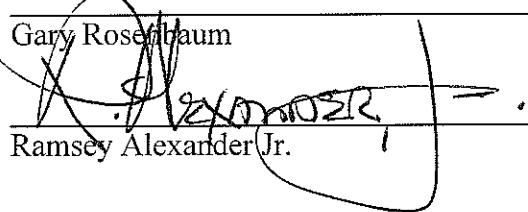
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13 Tammy J. Citaramanis, Chairman

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15 David Grabowski, Vice-Chair

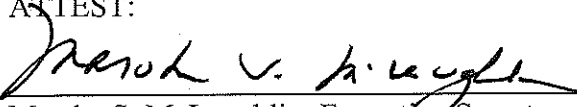
16 
17 Linda A. Dombrowski

18 ABSENT

19 Gary Rosenbaum

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21 Ramsey Alexander Jr.

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23 ATTEST:

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25 Marsha S. McLaughlin, Executive Secretary